

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROUMMEL JEROME INGRAM,

Plaintiff,

v.

SERGEANT ZAMENSKI,

Defendants.

Case Number 22-10434

Honorable David M. Lawson

Magistrate Judge David R. Grand

**ORDER ADOPTING REPORT AND RECOMMENDATION AND GRANTING
IN PART DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

Presently before the Court is the report issued on June 5, 2024 by Magistrate Judge David R. Grand pursuant to 28 U.S.C. § 636(b) recommending that the Court grant in part and deny in part the defendant's motion for summary judgment. The deadline for filing objections to the report has passed, and no objections have been filed. The parties' failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the report and recommendation (ECF No. 34) is **ADOPTED**, and the defendant's motion for summary judgment (ECF No. 29) is **GRANTED IN PART AND DENIED IN PART**. The following claims brought by the plaintiff against the defendant are **DISMISSED WITH PREJUDICE**: (1) all of the claims against the defendant in his official capacity; (2) the due process claims under the Fifth Amendment against the defendant

in his individual capacity; and (3) all due process claims against the defendant based on a sanction of 15 days' loss of privileges. The motion is **DENIED** in all other respects.

It is further **ORDERED** that the referral of the case to the assigned magistrate judge for all pretrial matters is **CONTINUED**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: July 1, 2024